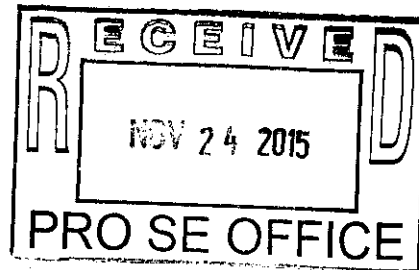


UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

MICHAEL CARTER,

PLAINTIFF,



V

CIVIL ACTION NO. 1: 11-4026

- CITY OF NEW YORK, A MUNICIPAL CORPORATION

- ABRAHAM HIDALGO, POLICE OFFICER NYPD[D

- OFFICER AHMED, POLICE OFFICER NYPD

- CAROL PETUNIAS, POLICE OFFICER NYPD

- DANIELLE DAVIS, POLICE OFFICER NYPD

- WIL PELELGRINO, POLICE OFFICER NYPD

- JAMES HUDAK, POLICE OFFICER NYPD

- DARRELL WALLACE, POLICE OFFICER NYPD

NEW YORK CITY HEALTH AND HOSPITAL CORPORATION

(KINGS COUNTY HOSPITAL CENTER, BROOKLYN DIVISION 2008)

ALAN D. AVILES, PRESIDENT OF HEALTH AND HOSPITAL CORPORATION

KINGS COUNTY PROSECUTOR'S OFFICE

VANESTA WHYTE, NURSE & EMPLOYEE, AND AGENT, KCHC BROOKLYN DIVISION 2008

DAVID HAZEN, ATTORNEY AT LAW

ANTHONY CECUTT, ATTORNEY AT LAW

WARDEN RIKERS ISLAND BEACON HILL SECTION

DEFENDANTS,

COMES NOW, PLAINTIFF MICHAEL CARTER (" PLAINTIFF "), PROFFER COMPLAINING
OF THE DEFENDANTS, RESPECTFULLY ALLEGES, UPON INFORMATION FACTS KNOWN AND
INFORMATION BEING WITHHELD BY THE OPPOSING COUNSEL.

NATURE OF ACTION

THIS IS A CIVIL ACTION PURSUANT TO 42 USC SECTIONS 1983, 1985, 1986, AND 1988
SEEKING MONETARY DAMAGES FOR PLAINTIFF MICHAEL CARTER'S FALSE ARREST, MALICIOUS
PROSECUTION, WRONGFUL IMPRISONMENT, PHYSICAL AND SEXUAL ASSAULT IN VIOLATION
OF PLAINTIFF CARTER'S FEDERAL CONSTITUTIONAL RIGHTS UNDER THE FOURTH, FIFTH , SIXTH
EIGHTH AND FOURTEENTH AMENDMENTS, OF UNREASONABLE SEIZURE, DUE PROCESS AND
EQUAL PROTECTION, CRUEL AND UNUSUAL PUNISHMENT.

, PARTIES FORESAIDNETION AND PARTIES STATEMENT OF JURISDICTION

THIS ACTION IS BROUGHT PURSUANT TO 42 U.S.C SECTIONS 1983 AND 1988 AND THE
FOURTH, FIFTH, SIXTH, EIGHTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES
CONSTITUTION. JURISDICTION IS CONFERRED UPON THIS COURT BY U.S.C SECTIONS
1331,1343, (3) AND (4) AND THE AFOREMENTIONED STATUTORY AND CONSTITUTION
PROVISIONS.

PLAINTIFF CARTER FURTHER INVOKES THIS COURT'S SUPPLEMENTAL JURISDICTION
PURSUANT TO 28 U.S.C SECTION 1367, OVER ANY AND ALL STATE LAW CLAIMS AND CAUSES OF
ACTION WHICH DERIVE FROM THE SAME NUCLEUS OF OPERATIVE FACTS AND ARE PART OF THE

SAME CASE OR CONTROVERSY THAT GIVE RISE TO THE FEDERALLY BASED CLAIMS AND CAUSES OF ACTION.

VENUE

VENUE IS PROPER FOR THE UNITED STATES DISTRICT FOR THE EASTERN DISTRICT OF NEW YORK PURSUANT TO 28 U.S.C SECTION 1391 (A) (B) AND (C) AND SECTION 1402 (B) BECAUSE THE CLAIMS AROSE IN THIS DISTRICT.

PARTIES

PLAINTIFF MICHAEL CARTER IS AND WAS AT ALL TIMES RELEVANT HEREIN A RESIDENT OF THE CITY OF NEW YORK, STATE OF NEW YORK.

DEFENDANT CITY OF NEW YORK (DEFENDANT CITY) IS A MUNICIPAL CORPORATION EXISTING BY VIRTUE OF THE LAWS OF THE STATE OF NEW YORK. IT IS AUTHORIZED BYLAW TO MAINTAIN A POLICE DEPARTMENT AND HOSPITAL POLICE FORCE, WHICH ACT AS ITS AGENTS IN THE AREA OF LAW ENFORCEMENT AND FOR WHICH IT IS ULTIMATELY RESPONSIBLE. DEFENDANT CITY ASSUMES THE RISKS INCIDENTAL TO THE MAINTENANCE OF A POLICE FORCE AND THE EMPLOYMENT OF POLICE OFFICERS AND OFFICERS AS SAID RISKS ATTACH TO THE PUBLIC, CONSUMERS OF THE SERVICES PROVIDED BY THE NYPD AND NYHP.

PLAINTIFF CARTER PROFFER OFFICER DARRELL WALLACE, NEW YORK CITY POLICE OFFICER, OFFICER ABRAHAM HIDALGO NEW YORK HOSPITAL POLICE, OFFICER AHMED NEWYORK HOSPITAL POLICE, OFFICER CAROL PETUNIAS NEW YORK HOSPITAL POLICE, SERGEANT DANRELLE DAVIS NEW YORK HOSPITAL POLICE, SERGEANT WIL PELLEGINO NEW YORK POLICE OFFICER ASSIGNED TO 71 ST PRECINCT, SERGEANT JAMES HUDAK , NEW YORK POLICE OFFICER ASSIGNED TO 71ST PRECINCT.

PLAINTIFF CARTER PROFFER ON OR ABOUT AUGUST 29, 2008 PARTIES AFOREMENTIONED AND PARTIES KNOWN AND UNKNOWN ACTED UNDER THE COLOR OF NEW YORK STATE LAW AND WILLFULLY PARTICIPATE IN A JOINT ACTION TO DEPRIVE OF HIS CONSTITUTIONAL RIGHTS. PLAINTIFF CARTER PROFFER FURTHER DEFENDANT CITY OF NEW YORK IS LIABLE FOR THE INDIVIDUAL DEFENDANTS ACT UNDER THE THEORY OF RESPONDENT SUPERIOR. AT THE TIME OF THE INCIDENTS, THE NEW YORK POLICE DEPARTMENT AND THE NEW YORK HOSPITAL OFFICERS KNOWN AND NAME; UNKNOWN AND NOT NAME WERE ACTING UNDER COLOR OF NEW YORK STATE LAW IN THE COURSE AND SCOPE OF THEIR

EMPLOYMENT AT DEFENDANT CITY OR NYPD OR NYHP AGENCIES OF DEFENDANT CITY.

AS A RESULT OF THE AFOREMENTIONED MISCONDUCT, PLAINTIFF CARTER WAS FALSELY ARRESTED, MALICIOUSLY PROSECUTED AND INCARCERATED FOR APPROXIMATELY (29) TWENTY NINE MONTHS FOR CRIMINAL OFFENSES THAT HE DID NOT COMMIT AND THE PLAINTIFF SUFFERED A PHYSICAL AND SEXUAL ASSAULT BY HAVING, A BROOM HANDLE IN HIS RECTUM CAUSING HIM EMOTIONAL DISTRESS, AND MENTAL AND PSYCHOLOGICAL PAIN AND SUFFERING FOR THE REST OF HIS LIFE.

PLAINTIFF CARTER PROFFER AT ALL TIMES RELEVANT HEREIN, THE AFOREMENTIONED DEFENDANTS EACH OF THEM AND ALL OF THEM ACTED FOR AND ON BEHALF OF DEFENDANT CITY AND/OR THE NYPD AND OR THE NYHPIN FURTHERANCE OF THEIR EMPLOYMENT BY DEFENDANT CITY, WITH THE POWER AND AUTHORITY VESTED IN THEM AS OFFICERS. AGENTS AND EMPLOYEES OF THE CITY AND/OR THE NEW YORK HOSPITAL POLICE AND/OR INCIDENTALLY TO THE LAWFUL PURSUIT OF THEIR DUTIES AS OFFICERS, EMPLOYEES AND AGENTS OF THE CITY AND/OR THE NYPD AND /OR THE NYHP.

PLAINTIFF MICHAEL CARTER PROFFER THE DEFENDANTS, AGENTS, EMPLOYEES ACTED INDIVIDUALLY AND COLLECTIVE TO VIOLATED HIS CONSTITUTIONAL RIGHTS UNDER DUE PROCESS, EQUAL PROTECTION, , UNREASONABLE SEIZURE, KIDNAP, FALSE ARREST, MALICIOUSLY PROSECUTED CAUSING HIM TO BE INCARCERATED FOR (29) TWENTY-NINE MONTHS FOR CRIMINAL OFFENSES THAT HE DID NOT COMMIT AND SUFFERED AT THE HANDS OF THE DEFENDANTS AND OTHERS AT RIKER ISLAND BEACON HILL EMOTIONAL DISTRESS, MENTAL AND PSYCHOLOGICAL PAIN AND SUFFERING PHYSICAL AND SEXUAL ASSAULT BY HAVING BROOM HANDLE IN HIS RECTUM.

PLAINTIFF MICHAEL CARTER PROFFER THAT VANESTA WHYTE, A NURSE EMPLOYED BY KINGS COUNTY HOSPITAL CENTER, BROOKLYN DIVISION 2008, MADE A FALSE ACCUSATION THAT SHE OBSERVED. MS. HALEY AND PLAINTIFF CARTER WITH THEIR PANTS DOWN, LATER, MS HALEY ALLEGED THE PLAINTIFF RAPED HER, ON AUGUST 21, 2008.

1. OFFICER, ABRAHAM HIDALGO IS AND WAS AT ALL TIMES RELEVANT HEREIN AN OFFICER OF NEW YORK HOSPITAL POLICE, EMPLOYEE AND AGENT OF THE NYPD ON AUGUST 29, 2008 IN WHICH HE WAS INVOLVED IN THE FALSE ARREST OF PLAINTIFF, OFFICER HIDALGO, WAS ASSIGNED TO THE KINGS COUNTY HOSPITAL COMMAND .

THE AFOREMENTIONED UNCONSTITUTIONAL AND UNREASONABLE SEIZURE OF PLAINTIFF CARTER RESULT IN A FALSE ARREST, MALICIOUS PROSECUTION, INCARCERATION OF PLAINTIFF CARTER FOR (29) TWENTY-NINE MONTHS, FOR CRIMINAL OFFENSES THAT HE DID NOT COMMIT CAUSING THE PLAINTIFF TO SUFFER PHYSICAL AND SEXUAL ASSAULT ATTACK WHILE BEING INCARCERATED ON RIKERS ISLAND, BEACON HILL SECTION.

PLAINTIFF CARTER, NOW SUFFER EMOTIONAL, MENTAL AND PSYCHOLOGICAL PAIN, SUFFERING FROM THE PHYSICAL AND SEXUAL ASSAULT OF HAVING A BROOM HANDLE LODGED IN HIS RECTUM FOR SEXUALLY ASSAULTING A MENTALLY RETARDED LADY. THE RECORD IS CLEAR IT WAS UNFOUNDED.

OFFICER HIDALGOIS BEING SUED IN HIS INDIVIDUALISTICALLY.

2. OFFICER AHMED (SHIELD # 2004) IS AND WAS AT ALL TIMES RELEVANT HEREIN AN OFFICER OF NEW YORK HOSPITAL, EMPLOYEE AND AGENT OF THE NEW YORK POLICE DEPARTMENT. ON AUGUST 29, 2008, AN UNREASONABLE SEIZURE IN VIOLATION OF THE PLAINTIFF'S CONSTITUTIONAL IN WHICH THE DEFENDANT WAS INVOLVED IN THE FALSE ARREST OF PLAINTIFF CARTER OFFICER AHMED WAS ASSIGNED TO THE KINGS COUNTY HOSPITAL COMMAND. THE AFOREMENTIONED UNCONSTITUTIONAL AND UNREASONABLE SEIZURE OF PLAINTIFF CARTER RESULTED IN A FALSE ARREST, MALICIOUS PROSECUTION AND INCARCERATION OF THE PLAINTIFF FOR TWENTY-NINE (29) MONTHS FOR CRIMINAL OFFENSES THAT HE DID NOT COMMIT CAUSING THE PLAINTIFF TO SUFFER SEXUAL AND PHYSICAL ASSAULT ATTACKS WHILE BEING INCARCERATED ON RIKERS ISLAND BEACON HILL SECTION.

PLAINTIFF CARTER NOW SUFFER EMOTIONAL DISTRESS AND MENTAL DISTRESS AND PSYCHOLOGICAL PAIN SUFFERING FROM THE PHYSICAL AND SEXUAL ASSAULT FROM HAVING A BROOM HANDLE LODGED IN HIS RECTUM TWO (2) OCCASION FOR SEXUALLY ASSAULTING A MENTALLY RETARDED LADY AT KINGS COUNTY HOSPITAL CENTER, BROOKLYN DIVISION.

OFFICER AHMED IS BEING SUED IN HIS INDIVIDUAL CAPACITY.

3. OFFICER CAROL PETUNIAS IS AND WAS AT ALL TIMES RELEVANT HEREIN AN OFFICER OF THE NEW YORK HOSPITAL POLICE, EMPLOYEE AND AGENT OF THE NEW YORK POLICE DEPARTMENT. ON AUGUST 29, 2008 IN WHICH SHE WAS INVOLVED IN THE FALSE ARREST OF PLAINTIFF MICHAEL CARTER. OFFICER PETUNIAS WAS ASSIGNED TO THE KINGS COUNTY HOSPITAL COMMAND. THE AFOREMENTIONED UNCONSTITUTIONAL AND UNREASONABLE

SEIZURE IN VIOLATION OF THE PLAINTIFF'S CONSTITUTIONAL RIGHTS WHICH RESULTED IN A FALSE ARREST , MALICIOUS PROSECUTION AN INCARCERATION OF PLAINTIFF CARTER FOR TWENTY-NINE (29) MONTHS FOR CRIMINAL OFFENSES THAT THE PLAINTIFF DID NOT COMMIT CAUSING THE PLAINTIFF TO SUFFER PHYSICAL SEXUAL ASSAULT ATTACKS ON TWO (2) OCCASIONS WHILE BEING INCARCERATED ON RIKERS ISLAND BEACON HILL SECTION . PLAINTIFF CARTER SUFFER EMOTIONAL AND MENTAL DISTRESS AND PSYCHOLOGICAL PAIN SUFFERING FROM SEXUAL AND PHYSICAL ASSAULT OF HAVING A BROOM HANDLE LODGED IN HIS RECTUM ON TWO (2) OCCASION FOR SEXUALLY ASSAULTING A MENTALLY RETARDED LADY AT KINGS COUNTY HOSPITAL , BROOKLYN DIVISION 2008.

OFFICER CAROL PETUNIAS IS BEING SUED IN HER INDIVIDUAL CAPACITY.

4. OFFICER DANIELLE DAVIS (SERGEANT) IS AND WAS AT ALL TIMES RELEVANT HEREIN AN OFFICER, EMPLOYEE AND AGENT OF THE NEW YORK POLICE DEPARTMENT AND THE DEFENDANT WAS ASSIGNED TO THE KINGS COUNTY HOSPITAL COMMAND. ON AUGUST 29, 2008 IN WHICH SEGMENT DAVIS WAS INVOLVED IN THE FALSE ARREST AND UNREASONABLE SEIZURE OF PLAINTIFF CARTER.

THE AFOREMENTIONED UNCONSTITUTIONAL AND UNREASONABLE SEIZURE OF THE PLAINTIFF WHICH RESULTED IN THE FALSE ARREST, MALICIOUS PROSECUTION, INCARCERATE-ACTION OF THE PLAINTIFF FOR TWENTY-NINE (29) MONTHS FOR CRIMINAL OFFENSES THAT HE DID NOT COMMIT CAUSING THE PLAINTIFF TO SUFFER SEXUAL AND PHYSICAL ASSAULT ATTACK WHILE BEING INCARCERATED ON RIKERS ISLAND BEACON HILL SECTION.

PLAINTIFF CARTER NOW SUFFER FROM THE TWO (2) ATTACKS EMOTIONAL AND MENTAL PSYCHOLOGICAL PAIN SUFFERING FROM PHYSICAL AND SEXUAL ASSAULT OF HAVING A BROOM HANDLE LODGED IN HIS RECTUM FOR SEXUALLY ASSAULTING A MENTALLY RETARDED LADY AT THESE KINGS COUNTY LADY.

SEGMENT DAVIS IS BEING SUED IN HER INDIVIDUAL CAPACITY.

5. OFFICER WIL PELLEGRINO (SEGMENT) IS AND WAS AT ALL TIMES RELEVANT HEREIN AN OFFICER OF THE NEW YORK POLICE DEPARTMENT; EMPLOYEE AND AGENT OF THE NEW YORK POLICE ADVERTISEMENT'S PELLEGRINO WAS ASSIGNED TO THE 71 ST PRECINCT ON AUGUST 29, 2008, IN WHICH HE WAS INVOLVED IN THE FALSE ARREST OF PLAINTIFF CARTER. OFFICER PELLEGRINO A SERGEANT WHO WAS A SUPERVISING OFFICER REVIEWED, APPROVED AND RATIFIED THE ARREST OF THE PLAINTIFF.

THE AFOREMENTIONED UNCONSTITUTIONAL AND UNREASONABLE SEIZURE IN VIOLATION OF THE PLAINTIFF FOURTH (4TH) AMENDMENT RIGHT WHICH RESULTED IN THE FALSE ARREST, MALICIOUS PROSECUTION, INCARCERATION OF THE PLAINTIFF FOR TWENTY-NINE 9290 MONTHS FOR CRIMINAL OFFENSES THAT THE PLAINTIFF DID NOT COMMIT CAUSING THE PLAINTIFF TO SUFFER SEXUAL AND PHYSICAL ATTACK WHILE INCARCERATED ON RIKER S ISLAND 'S BEACON HILL SECTION.

PLAINTIFF CARTER NOW SUFFER EMOTIONAL AND MENTAL DISTRESS AND PSYCHOLOGICAL PAIN SUFFERING FROM THE PHYSICAL AND SEXUAL ASSAULT OF HAVING A BROOM HANDLE LODGED IN HIS RECTUM FOR SEXUALLY A MENTALLY RETARDED LADY.

-PLAINTIFF CARTER RESULTING IN A FALSE ILLEGAL ARREST MALICIOUS PROSECUTION, INCARCERATION OF THE PLAINTIFF FOR (29) TWENTY-NINE MONTHS FOR CRIMINAL OFFENSES THAT HE DID NOT COMMIT CAUSING THE PLAINTIFF TO SUFFER PHYSICAL AND SEXUAL ASSAULT ATTACK WHILE BEING INCARCERATED ON RIKERS ISLAND BEACON HILL SECTION.

PLAINTIFF CARTER NOW SUFFER EMOTIONAL, MENTAL AND PSYCHOLOGICAL PAIN SUFFERING FROM THE PHYSICAL AND SEXUAL ASSAULT OF HAVING A BROOM HAND LODGED IN HIS RECTUM FOR SEXUALLY ASSAULTING A MENTALLY RETARDED LADY.

SERGEANT HUDAK IS BEING SUED IN HIS INDIVIDUAL CAPACITY. PLAINTIFF CARTER ASK THE COURT TO TAKE JUDICIAL NOTICE DURING THIS ORDEAL. HE WAS ATTACKED ON TWO (2) OCCASIONS.

PLAINTIFF MICHAEL CARTER PROFFER OFFICER DARRELL WALLACE A POLICE EMPLOYED BY THE CITY OF NEW YORK ASSIGNED TO THE 71ST PRECINCT AT THE TIME HE VIOLATED THE

PLAINTIFF, MICHAEL CARTER'S FEDERAL CONSTITUTIONAL RIGHTS.

OFFICER WALLACE IS AND WAS AT ALL TIMES RELEVANT HEREIN A POLICE OFFICER, EMPLOYEE OF THE NEW YORK CITY POLICE DEPARTMENT. OFFICER DARRELL WALLACE ON AUGUST 29, 2008, CONSPIRE WITH OTHER OFFICERS KNOWN AND UNKNOWN ILLEGALLY ARRESTED -PLAINTIFF CARTER PARTIES DEFENDANTS WERE EMPLOYED BY THE DEFENDANT CITY, THEIR ASSIGNMENT NYPD AND/OR NYHP OFFICER WALLACE WAS ASSIGNED TO THE 71ST PRECINCT TOOK CUSTODY OF THE PLAINTIFF MICHAEL CARTER AGAINST HIS WILL.

THE PLAINTIFF PROFFER OFFICER WALLACE ACTING OUTSIDE SCOPE OF HIS DUTY AS A POLICE OFFICER TOOK PLAINTIFF CARTER OF THE COURTHOUSE ON THE STREET AND HELD IN HANDCUFFS FOR 2 1/2 TO 3 HOURS SPEAKING TO SOMEONE PERIODICALLY ABOUT THE PLAINTIFF DENYING THE PLAINTIFF 'S CONSTITUTIONAL RIGHT TO BE ARRAIGNED OR GIVEN 730 HEARING WHICH HAS BEEN ALLEGED BY OPPOSING COUNSEL.

THE PLAINTIFF WAS HELD LONG ENOUGH WHERE THERE WAS NO ACTIVE IN THE COURTHOUSE. OFFICER WALLACE THEN DELIVER THE PLAINTIFF TO RIKERS ISLAND BEACON HILL SECTION; CAUSING AND SUPPORTING THE MISCONDUCT ACTING UNDER THE COLOR OF NEW YORK STATE LAW IN THE COARSE AND SCOPE OF HIS HIS EMPLOYMENT, FALSELY ARRESTING THE PLAINTIFF MICHAEL CARTER, ASSISTING THE MALICIOUS PROSECUTION OF SAID PLAINTIFF CAUSING PLAINTIFF CARTER TO BE INCARCERATED (29) TWENTY NINE MONTHS FOR CRIMINAL OFFENSES THAT HE DID NOT COMMIT OF WHICH THE PLAINTIFF WAS INNOCENT OF.

PLAINTIFF CARTER SUFFERED EMOTIONAL, MENTAL, PSYCHOLOGICAL AND PHYSICAL PAIN, WHICH OCCURRED WHILE HE WAS INCARCERATED . THE PLAINTIFF WAS ATTACKED DURING THIS UNCONSTITUTIONAL AND UNREASONABLE PHYSICALLY AND SEXUALLY ASSAULTED BY HAVING A FROM HANDLE FORCED IN HIS RECTUM FOR SEXUALLY ASSAULTING A RETARDED MENTALLY ILL LADY. OFFICER WALLACE IS BEING SUED IN HIS INDIVIDUAL CAPACITY.

DEFENDANT NEW YORK CITY HEALTH AND HOSPITAL CORPORATION WHICH OVERSAW KINGS COUNTY HOSPITAL CENTER, BROOKLYN DIVISION IN 2008. DEFENDANT ALAN D. AVILES , PRESIDENT OF THE HEALTH AND HOSPITALS CORPORATION.

THE DEFENDANT HEALTH AND HOSPITALS CORPORATION (HEREINAFTER NYC HEALTH AND HOSPITALS CORP.) IS LIABLE FOR THE INDIVIDUAL DEFENDANTS KNOWN AND UNKNOWN ACTS UNDER THE THEORY OF RESPONDENT SUPERIOR. NYC HEALTH AND HOSPITALS CORP.. IA AND WAS RELEVANT AT THE TIME OF THE INCIDENTS WERE ACTING UNDER THE COLOR OF NEW STATE LAW. ALAN D. AVILES , THE PRESIDENT OF THE CORPORATION IS AND WAS RELEVANT OPERATING THE NEW YORK HOSPITAL ALL HOSPITAL AT THE TIME OF THE INCIDENT KINGS COUNTY HOSPITAL CENTER , BROOKLYN DIVISION 2008 WAS UNDER THE AGREEMENT.

STAFF MEMBERS HAS A RECORD OF FALSIFIED RECORDS WHILE ACTING IN THE COURSE AND THE SCOPE OF THEIR DUTIES AND FUNCTIONS AS AGENTS ON THE BEHALF OF THE DEFENDANTS IN THEIR EMPLOYMENT UNDER THE UMBRELLA NYC HEALTH AND HOSPITALS CORP.. WHILE WORKING FOR KINGS COUNTY HOSPITAL CENTER, BROOKLYN DIVISION 2008. PRESIDENT AVILES , THE POLICYMAKER , HAS ALWAYS SUPPORT SUCH ACTION UNTIL A FEDERAL INVESTIGATION UNCOVERED A MOUNTAIN CORRUPTION FINDING THAT STAFF HAD FALSIFIED PATIENT'S RECORD WHO DIED IN THE SCANDAL.

THE DEFENDANTS AND STAFF MEMBER VANESTA WHYTE, NURSE EMPLOYEE AT KINGS COUNTY HOSPITAL MADE FALSE ACCUSATION THAT THE PLAINTIFF AND ANOTHER PATIENT MS. NINES HARLEY WITH THEIR PANTS DOWN. THE RECORD IN THIS CASE WAS FORECLOSE THAT SCIENTIFIC INFORMATION WAS WITHHELD AS TO THE PLAINTIFF'S INNOCENCE FOR TWENTY-NINE (29). THE RECORD WILL SHOW WHEN THE CHARGE NURSE RESPONDED SHE FOUND NOTHING ONLY MS. HARLEY AND THE PLAINTIFF SITTING IN THE DAY ROOM.

MS. HARLEY WAS INTERVIEWED BY STAFF ON AUGUST 21, 2008 , AND ALLEGED THAT PLAINTIFF CARTER RAPED HER. PLAINTIFF PLAINTIFF CARTER INVITED ON THE SOMEDAY DENIED COMMITTING ANY CRIMINAL AGAINST THE ALLEGED VICTIM MS. HARLEY.

THE PLAINTIFF PROFFER THE RECORD OF HIS INNOCENCE;

1. DR. LISA HOLCOMB RIKERS COMPLETED A RAPE EXAMINATION OF MS. HARLEY ON AUGUST 21, 2008.

2. BASED ON THE EXAMINATION THERE WAS NO PHYSICAL EVIDENCE THAT MS. HARLEY WAS RAPED.

3. THE RAPE KIT WAS COLLECTED AND INCLUDED ORAL SWABS, SMEARS, FINGERNAILS ESCAPING, PULLED HEAD HAIR, PUBIC HAIRS COMBINGS, ANAL SWABS AND SMEARS, VAGINAL SWABS AND SMEARS AND BUCCAL SPECIMEN. IT WAS VOUCHER AS ARREST EVIDENCE UNDER P 289997 ON AUGUST 22, 2008.

4 THE RAPE KIT WAS TRANSPORTED TO THE OFFICE OF THE CHIEF MEDICAL EXAMINER (HEREINAFTER COME) FOR TESTING IT WAS RECEIVED ON AUGUST 25, 2008.

5. ON OR ABOUT AUGUST 22, 2008, STAFF AT KINGS COUNTY HOSPITAL COMMENCED AN INTERNAL INVESTIGATION INTO MS. HARVEY'S ALLEGATIONS.

6. ON AUGUST 22 2008, -IN A MEETING WITH CONCERNING THE INCIDENT, MS. HARLEY RECANED HER ALLEGATION THAT PLAINTIFF CARTER RAPED HER.

7. AFTER COMPLETING PSYCHIATRIC ASSESSMENTS OF MS. HARLEY AND THE

PLAINTIFF AND EVALUATING THE EVIDENCE MEDICAL STAFF AT KINGS COUNTY HOSPITAL DETERMINED THAT MS. HARVEY'S ALLEGATIONS WERE UNFOUNDED.

8. NONETHELESS, PLAINTIFF CARTER WAS ARRESTED AND HELD AGAINST UPON DISCHARGE ON AUGUST 29, 2008, BY DEFENDANTS NYPD OR NYHP OFFICERS HIDALGO, AHMED AND PETUNIAS. ON AUGUST 30, 2008, OFFICER DARRELL WALLACE TOOK PLAINTIFF CARTER INTO CUSTODY AGAINST HIS WILL.FOR THE CHARGE OF RAPE.

[PLAINTIFF CARTER ASK THE COURT TO TAKE JUDICIAL NOTICE] IN A REPORT DATED SEPTEMBER 19, 2008, THE COME BASED ON THE EXAMINATION AND TESTING OF THE RAPE KIT, DETERMINED THAT THERE WAS NO PHYSICAL OR DNA EVIDENCE OF RAPE.

9. DEFENDANTS DAVIS,PELLEGRINO AND HUDAK WHO WERE THE SUPERVISING OFFICERS, REVIEWED, APPROVED AND RATIFIED THE ARREST OF PLAINTIFF MICHAEL CARTER, BY DEFENDANT NEW YORK CITY AGENTS, MEMBERS AND EMPLOYEES OF THE NEW YORK POLICE DEPARTMENT. THE PLAINTIFF 'S ARREST BY THESE DEFENDANTS EACH OF THEM AND ALL OF THEM CONSPIRED TO VIOLATE HIS CONSTITUTIONAL RIGHTS AND CIVIL RIGHTS.

AS A RESULT OF THE AFORESAIDMENTIONED MISCONDUCT PLAINTIFF CARTER WAS FALSELY ARRESTED, MALICIOUSLY, AND INCARCERATED FOR TWENTY-NINE (29) MONTHS BY EACH DEFENDANT AND ALL DEFENDANTS KNOWN AND UNKNOWN CONSPIRED SO THAT PLAINTIFF CARTER WAS FALSELY ARRESTED AND MALICIOUSLY PROSECUTED FOR CRIMINAL OFFENSES HE DID NOT COMMIT AND THE PLAINTIFF MICHAEL CARTER SUFFERED EMOTIONAL AND MENTAL DISTRESS ; PHYSIOLOGICAL PAIN . . . PLAINTIFF CARTER WAS HELD BY THE NEW YORK CITY DEPARTMENT OF CORRECTION [RIKERS ISLAND BEACON HILL SECTION] WHERE THE PLAINTIFF WAS SEXUALLY AND PHYSICALLY ASSAULT ON TWO (2) OCCASION BY HAVING A BROOM HANDLE LODGED IN HIS RECTUM FOR RAPING A RETARDED.

CLEARLY, PLAINTIFF CARTER WAS HARMED BY THE NEW YORK CITY HEALTH AND HOSPITAL CORP.; KINGS COUNTY HOSPITAL CENTER , BROOKLYN DIVISION 2008 ANF ALAN D. AVILES , PRESIDENT THE POLICYMAKER UNDER THE LEADERSHIP OF , PRESIDENT AVILES POLICIES CONDONE STAFFS, EMPLOYEES AND AGENTS WHO FALSIFIED RECORDS TO COVER-UP INCIDENTS AT THE KINGS COUNTY HOSPITAL CENTER, BROOKLYN 2008, A SPOKESWOMAN FOR THE NYC HEALTH AND HOSPITAL CORP.. HAS SAID IT WAS AWARE OF RECORD DISCREPANCIES AS TO PATIENT'S RECORD AND TREATMENT.

14. THE UNCONSTITUTIONAL PRACTICE THAT OCCURRED TO PLAINTIFF CARTER WOULD SHOCK THE CONSCIENCE OF A HUMAN BEING AND WHAT WAS HAPPENING IN THE KINGS COUNTY HOSPITAL CENTER BROOKLYN DIVISION 2008 UNDER PRESIDENT ALAN D. AVILES AND HIS SUBORDINATES IS AFFRONT TO HUMAN DIGNITY.

DEFENDANTS KINGS COUNTY PROSECUTOR'S OFFICE IN THIS CASE INVOLVES AN

ACTION FOR NEGLECT TO PREVENT THE CONSPIRACY WHICH EXISTED FOR REFUSE TO TAKE A POSITIVE ACTION WHERE THE CIRCUMSTANCES F ITS CASE DEMANDED ACTION TO PREVENT ACTS WHICH GAVE RISE TO AN UNREASONABLE SEIZURE, UNCONSTITUTIONAL ARREST, CRUEL AND UNUSUAL PUNISHMENT IN VIOLATION OF DUE PROCESS AND EQUAL PROTECTION, AND MALICIOUS PROSECUTION AND INNOCENT PERSON.

15. THE DEFENDANTS KINGS COUNTY PROSECUTOR'S OFFICE COMMENCED A CRIMINAL ACTION AGAINST PLAINTIFF MICHAEL CARTER WITHOUT PROBABLE CAUSE. 2. THE PROSECUTION WAS CAUSED BY THE DEFENDANTS AND WITH THEIR AID. 3. THE ACTION TERMINATED IN THE PLAINTIFF MICHAEL CARTER'S FAVOR 4. PLAINTIFF MICHAEL CARTER SCIENTIFIC EVIDENCE SUPPRESS AND HIDDEN PROVED HE WAS INNOCENT 5. THE DEFENDANTS AND THEIR CO-CONSPIRATORS ACTED INTENTIONALLY AND RECKLESSLY WITH MISCONDUCT EXTREMELY OUTRAGEOUS ACTING WITH OUT PROBABLE CAUSE . THE DEFENDANTS EACH OF THEM AND ALL OF THEM ACTED WITH MALICE. AND THE CRIMINAL PROCEEDING DAMAGED THE PLAINTIFF MICHAEL CARTER, FOR THE REST OF HIS LIFE WHERE HE WAS SEXUALLY ASSAULT AND PHYSICALLY ASSAULT ON TWO (2) IN THE NEW YORK CITY DEPARTMENT OF CORRECTION RIKER ISLAND BEACON HILL SECTION AND THE DENIED RECORD AFFIRMATIVELY INDICATE THAT PLAINTIFF CARTER WAS NOT QUILTY.

THE DEFENDANTS AND CO-CONSPIRATORS ACTED INTENTIONALLY AND RECKLESSLY WITH EXTREME AND OUTRAGEOUS MISCONDUCT WITH OUT PROBABLE CAUSE. THE DEFENDANTS ACTED WITH MALICE.

THE CRIMINAL PROCEEDING DAMAGED PLAINTIFF CARTER FOR FIFTH WHILE HOUSED IN THE NEW YORK CITY DEPARTMENT OF CORRECTION RIKERS ISLAND BEACON HILL SECTION ON (2) TWO OCCASION THE PLAINTIFF WAS SEXUALLY AND PHYSICALLY ASSAULT FOR RAPING A MENTAL RETARDED WOMAN. CLEARLY, THE RECORD CONCEAL IN THIS CASE THE SCIENTIFIC EVIDENCE AFFIRMATIVELY INDICATE PLAINTIFF MICHAEL CARTER WAS NOT GUILTY.. THE KINGS COUNTY PROSECUTOR'S OFFICE CHARGED ADVISED DEFENDANT DARRELL WALLACE TO CHARGE PLAINTIFF CARTER WITH RAPE IN THE THIRD DEGREE (NEW YORK PENAL LAW SECTION 130.25 (3) A CLASS E FELONY; SEXUAL MISCONDUCT (NEW YORK PENAL SECTION 130,20 (1); A CLASS A MISDEMEANORS SEXUAL ABUSE IN THE THIRD DEGREE (NEW YORK PENAL SECTION 130.55); A CLASS B MISDEMEANORS; AND HARASSMENT IN THE SECOND DEGREE (NEW YORK PENAL LAW SECTION 240.26 (1) A VIOLATION.

WHILE COUNSEL OF RECORD ACTING ON THE BEHALF OF THE DEFENDANTS HAS REFUSED TO PROVED A COPY OF THE INDICTMENT WHO TESTIFIED AT THE GRAND JURY, COUNSEL HAVE LIED IN THIS PROCEEDING AS TO THE PLAINTIFF'S ARRAIGNMENT ON AUGUST 30, 2008 AS TO 730 HEARING.

KINGS COUNTY HOSPITAL PROSECUTOR INTERFERED WITH PLAINTIFF CARTER'S LIBERTY WITHOUT PROBABLE CAUSE AND UNDER FALSE PRETENSE MANIPULATE A GRAND JURY

PROCEEDING USING KNOWN PERJURED TESTIMONY TO SECURE AN INDICTMENT THE ACTIONABLE ABUSE OF POWER BY THE KINGS COUNTY PROSECUTOR'S OFFICE "SHOCKS THE CONSCIENCE" WHICH INFERENCE PLAINTIFF CARTER'S RIGHT'S IMPLICIT IN THE CONCEPT OF HAS LIBERTY DEFENDANTS IN THIS CASE SUBSEQUENTLY VIOLATE PLAINTIFF CARTER'S CONSTITUTIONAL (RIGHT UNDER THE FOURTH AMENDMENT TO BE FREE FROM MALICIOUS PROSECUTION.

DEFENDANTS AT KINGS COUNTY PROSECUTION OFFICE CONSPIRED BY CELL PHONE ON SEVERAL OCCASIONAL WITH DARRELL WALLACE AND PEOPLE KNOWN AND UNKNOWN TO MALICIOUS PROSECUTE PLAINTIFF CARTER.

1. A CRIMINAL ACTION WAS COMMENCED AGAINST HIM. 2.. THE PROSECUTION WAS CAUSED BY THE DEFENDANTS AND WITH THE AID OF KINGS COUNTY PROSECUTOR OFFICE THE ACTION TERMINATED PLAINTIFF CARTER'S FAVOR. PLAINTIFF CARTER WAS INNOCENT THE DEFENDANT ACTED WITHOUT PROBABLE CAUSE. THE DEFENDANT ACTED WITH MALICE AND THE CRIMINAL PROCEEDING DAMAGED PLAINTIFF CARTER FOR THE REST OF HIS LIFE WHILE BEING HOUSED AT THE NEW YORK CITY DEPARTMENT OF CORRECTION AFTER PLEADING PROTECTIVE CUSTODIANS DENIED THE PLAINTIFF MICHAEL CARTER WAS SEXUALLY AND PHYSICALLY ASSAULTED ON (2) TWO OCCASION BY HAVING A BROOM HANDLE LODGED IN HIS RECTUM CAUSING EMOTIONAL DISTRESS AND PSYCHOLOGICAL PAIN, MENTAL DISTRESS, FOR RAPING A MENTAL RETARDED WOMAN.

THE PROCEEDING TERMINATE IN FAVOR OF PLAINTIFF CARTER AFFIRMATIVELY INDICATE THAT PLAINTIFF MICHAEL CARTER WAS NOT GUILTY. THE ACTIONABLE ABUSE OF POWER BY THE KINGS COUNTY PROSECUTOR'S OFFICE "SHOCKS THE CONSCIENCE " OR INTERFERES WITH RIGHTS IMPLICIT IN THE CONCEPT OF ORDERED LIBERTY. THIS OFFICIALS' CONDUCT THAT SHOCKS THE CONSCIENCES AND VIOLATES THE "DECENCIES OF CIVILIZED CONDUCT" OFFEND THE NOTIONS OF DUE PROCESS.

THE DEFENDANT KINGS COUNTY PROSECUTOR'S OFFICE CONDUCT INTENDED TO INJURE IN SOME WAY IS JUSTIFIABLE BY ANY GOVERNMENT INTEREST AND IS THE SORT OF OFFICIAL ACTION MOST LIKELY TO THE CONSCIENCE- SHOCKING LEVEL. PLAINTIFF CARTER WAS CONSTITUTIONAL AND UNREASONABLE SEIZE AGAINST HIS WILL INVIOATION OF HIS FOURTH AMENDMENT TO BE FREE FROM MALICIOUS PROSECUTION.

DEFENDANTS FROM THE KINGS COUNTY PROSECUTOR'S OFFICE CONSPIRED WITH DEFENDANT DARRELL WALLACE OF NEW YORK POLICE DEPARTMENT AND PEOPLE KNOWN AND UNKNOWN . PLAINTIFF CARTER ALLEGE FACTS THAT OFFICER WALLACE WAS IN CONSTANT COMMUNICATION WITH THE PROSECUTOR'S OFFICE BY CELLULAR PHONE BEFORE HE THE PLAINTIFF WAS DELIVER TO RIKERS ISLAND BEACON HILL SECTION WITHOUT BEING ARRAIGN OR GIVE A 730 HEARING, CLEARLY FACTS WILL SHOW A MUTUAL UNDERSTANDING

AND MEETING OF THE MINDS AMONGST THE ALL DEFENDANTS.

DEFENDANT KINGS COUNTY PROSECUTOR OFFICE IS AND WAS AT ALL TIMES RELEVANT IN STARTING THE MALICIOUS CRIMINAL ACTION, AGAINST THE PLAINTIFF AND AIDING SUCH; O APRIL 13, 2011 TWENTY NINE(29) MONTHS LATER, THE ACTION TERMINATED IN PLAINTIFF CARTER'S FAVOR. MEDICAL TEST, PHYSIOLOGICAL EVALUATION PROVE THE PLAINTIFF'S INNOCENT. DEFENDANTS ACTED WITHOUT PROBABLE CAUSE. CLEARLY THE DEFENDANTS EACH OF THEM AND ALL OF THEM ACTED WITH MALICE. THE CRIMINAL PROCEEDING DAMAGED PLAINTIFF CARTER FOR LIFE. WHILE INCARCERATED FOR TWENTY NINE (29) MONTHS IN THE NEW YORK CITY CORRECTIONAL ON UNCONSTITUTIONAL AND UNREASONABLE SEIZE THE PLAINTIFF WAS SODOMITE'S ON WO (2) OCCASION BY HAVING A BROOM HANDLE LODGED IN HIS RECTUM CAUSING EMOTIONAL AND MENTAL DISTRESS AND PSYCHOLOGICAL PAIN.

DEFENDANT ANTHONY CECUTTI'S CONDUCT IN THE CRIMINAL CASE IS RELEVANT IS AND WAS RELEVANT IN THE CIVIL MATTER. COUNSEL CECUTTI'S UNETHICAL CONDUCT IN HELPING THE OTHER DEFENDANT TO COVER-UP THE PLAINTIFF FALSE ARREST, MALICIOUS PROSECUTION , INCARCERATION FOR TWENTY-NINE (29) MONTHS FOR CRIMINAL OFFENSES THAT THE PLAINTIFF DID NOT COMMIT. DEFENDANT EXECUTE ON SEVERAL OCCASION BROUGHT PLEA OFFERS FROM THE KINGS COUNTY PROSECUTOR'S OFFICE BUT WHEN PREPARING THE CIVIL COMPLAINT HE SAID HE DID NOT HAVE ONE NAME FROM THAT OFFICE THAT WAS MALICIOUSLY PROSECUTING HIM NOR DID HE PROVIDE A COPY OF THE PLAINTIFF 'S INDICTMENT OR A COPY OF THE WARRANT HE WAS ARRESTED WITH. THE RECORD IS CLEAR THE PLAINTIFF WAS NEVER ARRAIGNED OR GIVEN A 730 HEARING. THE PERSON WHO PROVIDED INFORMATION OF A RAPE TO THE GRAND JURY HAS NEVER BEEN IDENTIFIED. COUNSEL EXECUTE WAS A PL;ANT TO KEEP THE PLAINTIFF QUIET. DEFENDANT EXECUTE LEAD PLAINTIFF CARTER DOWN THE ROAD OF DECEIT FOR DENYING THE PLAINTIFF ACCESS TO SEVERAL LAWYERS BARRY SEEK TEAM [THE INNOCENT PROJECT] BECAUSE OF THE KINGS COUNTY SCANDAL. DEFENDANT CECUTTI'S ACTION OF NEGLECT TO PREVENT THE CONSPIRACY AS AN OFFICER OF LEGAL SYSTEM THE DEFENDANT REFUSAL TO TAKE A POSITIVE ACTION WHERE THE CIRCUMSTANCES DEMANDED TO PREVENT ACTS WHICH GIVE RISE TO CAUSE OF ACTION UNDER SUBSTANTIVE DUE PROCESS OF PLAINTIFF'S CARTER LIBERTY. DEFENDANT EXECUTE VIOLATION OF THE PLAINTIFF CONSTITUTIONAL RIGHTS BY IMPLICATION ENCOMPASS TWO (2) ASPECTS THE BREADTH OF THE INVESTIGATION WHERE DEFENDANT EXECUTE FAILED TO RESEARCH AND HOW FAR THE DEFENDANTS MUST RESEARCH AND HOW FAR THE MUST RESEARCH IN THE PARTICULAR AREA.

DESPITE THE FACT DEFENDANT EXECUTE KNEW PL;PLAINTIFF CARTER WAS INNOCENT THE DEFENDANT BROUGHT , HOWEVER, HE BROUGHT A PLEA FROM THE PROSECUTOR OFFICE, INCLUDING AN OFFER TO A PLEA TO SEXUAL ABUSE IN THE THIRD DEGREE NEW YORK PENAL LAW SECTION 130.55 TO PROTECT THE OTHER DEFENDANTS FROM A CIVIL COMPLAINT, A

CLASS B MISDEMEANORS. NINETY (90) DAYS FOR AN INNOCENT VICTIM. DEFENDANT EXECUTE THEN LEAD THE PLAINTIFF DOWN THE ROAD OF DECIT WITH NO INTENTION OF EVER SUING THE DEFENDANTS WHO WAS HIS CO-CONSPIRATORS.

AS A RESULT OF THE AFOREMENTIONED MISCONDUCT, DEFENDANT EXECUTE AND HIS CO-CONSPIRATOR PLAINTIFF CARTER WAS FALSELY ARRESTED, MALICIOUSLY PROSECUTED AND INCARCERATED FOR TWENTY-NINE (29) MONTHS FOR CRIMINAL OFFENSES THAT THE) PLAINTIFF DID NOT COMMIT AND SUFFERED EMOTIONAL AND MENTAL DISTRESS AND PSYCHOLOGICAL PAIN FOR BEING RAPE ON RIKERS ISLAND FOR A RAPE HE DID NOT COMMIT.

DEFENDANT DAVID HAZEN, WITHHOLDING THE PLAINTIFF LEGAL FILES WITHOUT CAUSE, VIOLATE THE PLAINTIFF'S CONSTITUTIONAL RIGHTS IN WHICH HE TOLD THE PLAINTIFF THAT THE MR.. GUTZMANN TOLD HIM TO WITHHOLD THE PLAINTIFF'S FILE. DEFENDANT HAZEN DENIED THE PLAINTIFF AN OPPORTUNITY TO PREPARE HIS COMPLAINT, HAVE NAME OF DEFENDANTS AND SUCH CLAIMS AGAINST DEFENDANTS THAT COULD BE SUSTAINED. DEFENDANT HAZEN ACT ABOVE THE LAW, AS AN OFFICER OF THE COURT SET THE PLAINTIFF CONSTITUTIONAL RIGHTS AT DEFIANCE WITH PLAINTIFF.

ALL OFFICERS OF THE COUNT FROM HIGHEST TO THE LOWEST, ARE CREATURES OF THE LAW AND ARE BOUND TO OBEY IT. DEFENDANT HAZEN FAIL TO SUBMIT TO THE LIMITATION WHICH IT IMPOSES ON EXERCISE OF AUTHORITY. THE PLAINTIFF HAVE HAD NO ONE TO ELIMINATE THE IMBALANCES, DEFENDANT HAZAN IS NOT IMMUNE FROM LIABILITY FOR LIABILITY UNDER SECTION 1983 FOR INTENTIONAL MISCONDUCT BY VIRTUE OF ALLEGED CONSPIRATORIAL ACTION WITH THE STATE OFFICIALS (GUTZMANN) THAT DEPRIVED PLAINTIFF CARTER OF HIS CONSTITUTIONAL (RIGHTS.)

CLEARLY, DEFENDANT HAZAN HAS OBSTRUCT JUSTICE IN THE CASE CONTROL DEFENDANT HASN'T CONDUCT IN THIS CIVIL COMPLAINT, DEFENDANT HAZAN ACTING UNDER THE COLOR OF LAW A CITIZEN CONSPIRE WITH DEFENDANT EXECUTE AND STATES OFFICIAL GUTZMANN IN VIOLATING PLAINTIFF CARTER'S CONSTITUTIONAL RIGHTS.

WHEREFORE PLAINTIFF CARTER RESPECTFULLY PRAY THAT THIS COURT ENTER JUDGMENT GRANTING PLAINTIFF.

A. COMPENSATORY DAMAGES IN THE AMOUNT OF 12,500,000.00 FROM DEFENDANT CITY OF NEW YORK (HEREINAFTER DEFENDANT CITY) IS LIABLE FOR THE INDIVIDUAL DEFENDANT'S POLICE OFFICERS WALLACE, HIDALGO, AHMED, PETUNIAS, DAVIS , PELLEGRINO AND HUDAK THE ACTS UNDER THE THEORY OF RESPONDENT SUPERIOR. AT THE TIME OF THE INCIDENTS, THEY WERE ACTING UNDER COLOR OF STATE LAW IN THE COURSE AND SCOPE OF THEIR EMPLOYMENT AT DEFENDANT CITY AND/OR THE NYPD AND /OR NYHP AGENCIES OF DEFENDANT CITY, THE AFORE SAID MENTION DEFENDANTS ACTED FOR AND ON BEHALF OF DEFENDANT CITY AND/OR THE NYPD AND/OR THE NYHP IN FURTHERANCE OF THEIR

EMPLOYMENT BY DEFENDANT CITY, WITH THE POW AND AUTHORITY VESTED IN THEM AS OFFICERS, AGENT AND EMPLOYEES.

AS A RESULT OF THE AFOREMENTIONED MISCONDUCT, PLAINTIFF CARTER WAS FALSELY ARRESTED, MALICIOUSLY PROSECUTED AND INCARCERATED FOR TWENTY-NINE (29) MONTHS FOR CRIMINAL OFFENSES THAT HE DID NOT COMMITTED SUFFERED EMOTIONAL, MENTAL AND PSYCHOLOGICAL PAIN AND SUFFERING WHERE THE PLAINTIFF WAS SODOMITE'S WHILE INCARCERATED ON RIKERS ISLAND BEACON HILL SECTION .

B. PUNITIVE DAMAGES IN THE AMOUNT OF 12,500.000.00 FROM DEFENDANT CITY IS LIABLE FOR THE INDIVIDUAL DEFENDANTS' POLICE OFFICERS WALLACE, HIDALGO, AHMED, PETUNIAS, DAVIS , PELLEGRINO AND HUDAK ACT WILLFULLY INTENTIONALLY WANTON RECKLESSLY PLAINTIFFS' LIBERTY WAS TAKEN FOR TWENTY-NINE (29) MONTHS WITHOUT PROBABLE CAUSE, DEFENDANTS ACTS AND MIS-CONDUCT WAS EXTREMELY OUTRAGEOUS THE ACT CAUSE EMOTIONAL AND MENTAL DISTRESS FOR LIFE THE PSYCHOLOGICAL PAIN THE PLAINTIFF SUFFERED WHEN HE WAS ATTACKED ON RIKERS ISLAND BEACON HILL SECTION. THE PLAINTIFF WAS THEN PLACED IN PROTECTIVE CUSTODY BUT RETURN TO REGULAR POPULATION, SHORTLY AFTER WHERE HE THE PLAINTIFF WAS ATTACKED ON A SECOND OCCASION.

C. COMPENSATORY DAMAGES IN THE AMOUNT OF 15,000,000.00 FROM DEFENDANTS POLICE OFFICERS DARRELL WALLACE ABRAHAM HIDALGO, AHMED (SHIELD #2004) , CAROL PETUNIAS, DANIELLE DAVIS, WIL PELLEGRINO, JAMES HUDAK AND EACH OF THEM VIOLATED THE PLAINTIFFS CONSTITUTIONAL RIGHTS UNDER 4TH, 5TH, 6TH, 8TH, 14TH, AND EACH OF THEM, TO PLAINTIFF WALLACE 2,500.000.00, HIDALGO 2,500.000.00 , AHMED (SHIELD #2004) 2,500.000.00 PETUNIAS 2,500.000.00,, DAVIS 2,500.000.00 , PELLIGRINO 2,500.000.00, HUDAK 2,500.000.00, FOR TOTAL AMOUNT OF 15,000.000.00 AND EACH OF THEM

D. PUNITIVE DAMAGE IN THE AMOUNT 15,000.000.00 FROM DEFENDANTS, POLICE OFFICERS DARRELL WALLACE, ABRAHAM HIDALGO, AHMED (SHIELD 2004), CAROL PETUNIAS, DANIELLE DAVIS, WILL PELLEGRINO, JAMES HUDAK DATED WILLFULLY, INTENTIONALLY WANTON RECKLESSLY WHERE EACH OF THEM ACTED INDIVIDUALLY AND TOGETHER WITHOUT PROBABLE CAUSE TO TAKE PLAINTIFF CARTER LIBERTY FOR TWENTY-NINE (29) MONTHS FOR CRIMINAL ACTS. THE PLAINTIFF DID NOT COMMIT, AT THE TIME OF THE INCIDENTS THEY THE DEFENDANT WERE ACTING UNDER THE COLOR OF NEW YORK STATE LAW IN THE COURSE AND SCOPE OF THERE EMPLOYMENT CONSPIRING WITH EACH OTHER AND OTHERS TO FALSELY ACCUSE.

E. COMPENSATORY DAMAGES IN THE AMOUNT OF 5,000.000.00 FROM DEFENDANT ANTHONY EXECUTE WHO VIOLATED PLAINTIFF CARTER'S CONSTITUTIONAL RIGHTS CONSPIRING WITH STATE OF OFFICIAL TO HIDE KINGS COUNTY HOSPITAL CENTER SCANDAL WHICH CAUSE THE PLAINTIFF TO BE INCARCERATED FOR TWENTY-NINE (29) MONTHS, STILL CONSPIRING TO BRING PLEA OFFERS WHILE NEGOTIATING WITH THE PLAINTIFF TO REPRESENT HIM ON A CIVIL

COMPLAINT.

PUNITIVE DAMAGES IN THE AMOUNT OF \$500,000.00 ACTED WITH FULLY AND WANTON RECKLESS CONSPIRING WITH OTHERS KNOWN OR UNKNOWN THAT CAUSE THROUGH A FALSE ARREST, MALICIOUS PROSECUTION FOR CRIMINAL OFFENSES HE DID NOT COMMIT, AND WAS SEXUALLY ASSAULTED BY HAVING A BROOM HANDLE LODGED IN HIS RECTUM WHILE INSTITUTIONALIZED, IS A VIOLATION OF HIS CIVIL RIGHTS, AND THIS IS A CIVIL COMPLAINT AND THEN ABANDONING THE PLAINTIFF AFTER HIS CASE FOR SEVERAL YEARS THEN STEALING DOCUMENTS FROM THE PLAINTIFF'S FILES.

COMPENSATORY DAMAGES IN THE AMOUNT OF \$7,000,000.00 FROM DEFENDANT DAVID HAZAN WHO VIOLATED THE PLAINTIFF CONSTITUTIONAL RIGHTS BY UNETHICAL WITHHOLDING PLAINTIFF CARTER CIVIL FILES JUST CAUSE BASED ON INFORMATION, THE OTHER DEFENDANT'S COUNSEL TOLD HIM TO WITHHOLD, THE FILES. DEFENDANT HAZAN CONSPIRED WITH COUNSEL GUTZMANN AND DEFENDANT EXECUTE.

PUNITIVE DAMAGES IN THE AMOUNT OF \$10,000,000.00 FROM DAVID HAZAN WHO WILLFULLY AND WANTON AND RECKLESSLY HAS TAKEN DOCUMENT FROM THE PLAINTIFF FILES IN CONSPIRING WITH TO OBSTRUCT JUSTICE.

RESPECTFULLY SUBMITTED



MICHAEL DEWAYNE CARTER

JURY TRIAL DEMAN

WHEREFORE PLAINTIFF DEMANDS JUDGMENT AGAINST THE DEFENDANT AS FOLLOWS;

FILED
CLERK
2015 NOV 24 AM 11:23
U.S. DISTRICT COURT
EAST DISTRICT OF TEXAS
SAN ANTONIO, TEXAS

- A. FOR COMPENSATORY DAMAGES IN AN AMAZON TO BE DETERMINED;
- B. FOR PUNITIVE DAMAGES AGAINST THE DEFENDANTS IN AN AMOUNT TO BE DETERMINED ;
- C. FOR REASONABLE ATTORNEY'S FEES TOGETHER WITH COST AND DISBURSEMENTS
PURSUANT 42 U.S.C. SECTION 1988 AND TO THE INHERENT POWER OF THIS COURT'S
DISCRETION.
- D. FOR PRE-JUDGMENT INTEREST AS ALLOWED BY LAW AND
- E. FOR SUCH OTHER AND FURTHER RELIEF AS THIS COURT MAY DEEM JUST AND PROPER


MICHAEL DEWAYNE CARTER